



IAP6 Rec'd PCT/PTO 17 APR 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty's Dkt: OLIVA1

Application of:

Roberto OLIVA

Serial No. 10/594,565

IA Filing Date: March 15, 2005

For: INHALER FOR PREPARATIONS IN POWDER FORM

) Application Division

) ATTN: PCT

) Washington, D.C.

) Confirmation No. 5582

) Date: April 17, 2007

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371

U.S. Patent and Trademark Office
Customer Service Window
Randolph Building, Mail Stop Missing Parts
401 Dulany Street
Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated January 17, 2007. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, PCT information and priority information.
[XX] A Preliminary Amendment
[XX] An Information Disclosure Statement with 08A-1449 and 1 reference.
[XX] Additional fees as calculated below:

[XX] Search and Examination Fee		\$600.00
Surcharge of \$130.00 for furnishing the oath or declaration later than [] 20 [XX] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
Number of each additional 50 pages or fraction thereof (round up to a whole number)	RATE	
1	X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate
9- 20 =	0	X \$ 50.00
1- 3 =	0	X \$200.00
Multiple Dependent Claims (if applicable)		+ \$360.00
TOTAL OF ABOVE CALCULATIONS		\$730.00
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.		<\$365.00>
SUBTOTAL		\$365.00
Processing fee of \$130.00 for late furnishing of the English translation.		\$
TOTAL NATIONAL FEE		\$365.00

[] Surcharge for late filing of the Declaration was paid on _____

[] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity
Response Filed Within
[X] First - \$ 60.00
[] Second - \$ 225.00
[] Third - \$ 510.00
[] Fourth - \$ 795.00
[] Fifth - \$1,080.00
month after time period set

Other Than Small Entity
Response Filed Within
[] First - \$ 120.00
[] Second - \$ 450.00
[] Third - \$1,020.00
[] Fourth - \$1,590.00
[] Fifth - \$2,160.00
month after time period set

[XX] Total fees enclosed: \$425.00

[XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$425.00 is enclosed to cover the above fees.

[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

04/19/2007 MKAYPAGH 00000133 10594565

01 FC:2642 200.00 OP
02 FC:2633 100.00 OP
03 FC:2617 65.00 OP

SN:dac

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BROWDY AND NEJMARK, P.L.L.C.
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04/19/2007 MKAYPAGH 00000133 10594565

04 FC:2251 60.00 OP



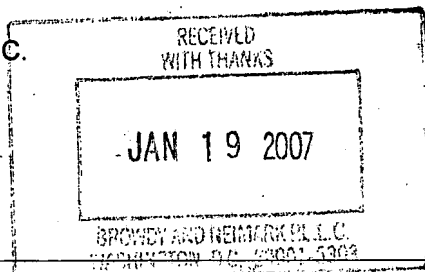
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
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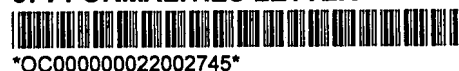
U.S. APPLICATION NUMBER NO. 10/594,565	FIRST NAMED APPLICANT Roberto Oliva	ATTY. DOCKET NO. OLIVA1
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1444
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WASHINGTON, DC 20001-5303



INTERNATIONAL APPLICATION NO. PCT/EP05/51181		
<table border="1"> <tr> <td>I.A. FILING DATE 03/15/2005</td> <td>PRIORITY DATE 03/18/2004</td> </tr> </table>	I.A. FILING DATE 03/15/2005	PRIORITY DATE 03/18/2004
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CONFIRMATION NO. 5582
371 FORMALITIES LETTER



OC000000022002745

Date Mailed: 01/17/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/27/2006
- Copy of the International Search Report filed on 09/27/2006
- Request for Immediate Examination filed on 09/27/2006
- U.S. Basic National Fees filed on 09/27/2006

MSP-27ML2007

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$180** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$545** for a Small Entity:

- **\$65 Surcharge.**

- The application search fee has not been paid. Applicant must submit **\$200** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

- Total additional claim fee(s) for this application is **\$ 180**

- **\$180** for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/594,565	PCT/EP05/51181	OLIVA1